

98-14-HO

BEFORE THE ARIZONA STATE BOARD OF PHARMACY

In the Matter of:)	
)	FINDINGS OF FACT, CONCLUSIONS
PETER GENTILE)	OF LAW AND BOARD ORDER
Certificate of Registration)	
Number 7313)	NO. 98-0014-PHR

DIRECTED TO: PETER GENTILE
1507 E. Hearne Way
Gilbert, AZ 85234

Pursuant to the foregoing Consent to Entry of Order, the evidence and records compiled and contained in the file for PETER GENTILE and for good cause appearing, the Board on this day of July, 1998 enters the following Finding of Fact, Conclusions of Law and Board Order in the Matter of 98-0014-PHR.

FINDINGS OF FACT

I

1. PETER GENTILE is the holder of Certificate of Registration Number 7313 issued by the Arizona State Board of Pharmacy which permits the holder to practice pharmacy in the State of Arizona.

2. That on the day of , 1998, PETER GENTILE did enter into a Consent to Entry of Order with the Arizona State Board of Pharmacy admitting that factual allegations contained in the Notice of Hearing Number 98-0014-PHR are true and accurate.

3. That PETER GENTILE admits to violations of A.R.S. § 32-1927(A)(8), (10), and A.R.S. § 32-1927(B)(1) to wit:

32-1928(A)(8) The licensee is found to be professionally incompetent to such a degree as to render the licensee unfit, in the opinion of the Board, to practice the profession of pharmacy.

1 32-1927(A)(10) The licensee is found by the Board to be guilty of
2 violating any Arizona or federal law, rule or regulation relating to
3 the manufacture and distribution of drugs, and devices or the practice
4 of pharmacy.

5 32-1927(B)(1) The licensee is found by the Board to be guilty of
6 dispensing a different drug or brand of drug in place of the drug or
7 brand of drug ordered or prescribed without the express permission in
8 each case of the orderer, or in the case of a prescription order, the
9 medical practitioner. The conduct does not apply to substitutions
10 authorized pursuant to A.R.S. § 32-1963.01.

11 CONCLUSIONS OF LAW

12 II

13 1. The Board concludes that it has jurisdiction in this Matter
14 pursuant to A.R.S. § 32-1927(A)(8),(10) and A.R.S. § 32-1927(B)(1).

15 2. The Board concludes that PETER GENTILE did violate A.R.S. §
16 32-1927(A)(8),(10), and A.R.S. § 32-1927(B)(1).

17 ORDER

18 III

19 The certificate of Registration Number 7313 issued to PETER
20 GENTILE is hereby placed on probation for up to (1) year commencing
21 ten (10) days from the date of this Order. The probation is subject to
22 the following conditions:

23 1. PETER GENTILE shall pay a civil penalty of one hundred
24 dollars (\$100.00) to the Board of Pharmacy within sixty (60) days of
25 the date of this Order.

26 2. PETER GENTILE shall complete eight (8) hours of Continuing
Education within one year of the date of this Order. Said hours shall
consist of the two part series (4 hours each) titled Pharmacist-
Patient Consultation Program or an alternative program approved by the

1 Board and shall apply only to satisfy this Order and shall not be
2 applied to Continuing Education requirements for subsequent license
3 renewals.

4 3. PETER GENTILE shall pay all fees and complete all Continuing
5 Education requirements throughout the term of probation to maintain
6 Certificate of Registration Number 7313.

7 4. PETER GENTILE shall obey all federal and state laws and rules
8 governing the practice of pharmacy.

9 5. The Arizona State Board of Pharmacy shall terminate the
10 probation upon completion of the conditions outlined in paragraphs 1.
11 and 2. above.

12 6. If PETER GENTILE violates this Order in any way or fails to
13 fulfill the requirements of this Order, the Board, after giving the
14 Respondent Notice and the opportunity to be heard, may revoke, suspend
15 or take other disciplinary action against the Respondent.

16
17 DATED this 9th day of JULY, 1998

18 ARIZONA STATE BOARD OF PHARMACY

19
20
21 SEAL

22 By Llyn A. Lloyd
23 Llyn A. Lloyd
24 Executive Director
25
26

1 Copies of the foregoing Finding
2 of Fact, Conclusions of Law and
3 Board Order mailed by certified
mail this 10th day of July, 1998
to:

4 PETER GENTILE
5 1507 E. Hearne Way
6 Gilbert, AZ 85234

and by Courier Mail to:

7 Michael Harrison
8 Assistant Attorney General
9 Attorney General's Office
10 1275 W. Washington
11 Phoenix, AZ 85007
12 Attorney for the State

and

12 Terri Skladany
13 Assistant Attorney General
14 1275 W. Washington
15 Phoenix, AZ 85007
16 Solicitor General's Office
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